

## **RULES AND OPEN GOVERNMENT COMMITTEE**

Meeting Report  
March 21, 2007

**PRESENT:** Mayor Reed, Vice Mayor Cortese, and Councilmembers Constant, and Chirco

**ABSENT:** None

**STAFF:** City Attorney Rick Doyle, Interim Assistant City Clerk Nancy Alford, Redevelopment Agency Assistant Director Gary Miskimon, Redevelopment Agency Executive Director Harry Mavrogenes, Agenda Manager Nadine Nader, and Director of Intergovernment Relations Betsy Shotwell.

### **A. City Council**

#### **1. Review March 27, 2007 Final Agenda**

- There were no additional items to be added to the March 27, 2007 Council Agenda.
- Item 1.1 (Business Commendation to Grainger Corporation) was deferred to an unscheduled date.
- Item 3.3 (c) (Report of the Public Safety, Finance and Strategic Support Committee) will be cross referenced and added to the Community and Economic Development Committee Agenda for March 27, 2007.
- Item 6.2 (Approval of actions related to the Airline-Airport Lease and Operating Agreements) to be heard no earlier than 2:30 p.m.

#### **2. Review April 3, 2007 Draft Agenda**

The Committee approved the following additions to the April 3, 2007 Council Agenda:

- a. Mayor/Council Member Requests
  - Request for an excused absence/late arrival for Councilmember Campos
  - Request for an excused absence for Councilmember Chirco
  - Request for an excused absence for Vice Mayor Cortese
  - Acceptance of report on the February 20, 2007 Priority Setting Session

**B. Redevelopment Agency**

**1. Review March 27, 2007 Final Agenda**

The Committee approved the March 27, 2007 agenda with the following addition:  
Item 2.4: Report of the Public Safety, Finance and Strategic Support Committee –  
March 15, 2007.

**2. Review of April 3, 2007 Draft Agenda**

There were no items for the April 3, 2007 Redevelopment Agency Agenda.

**C. Legislative Update**

**1. State**

**a. Acceptance of the March 2007 State Legislative Bill Matrix**

Documents Filed: 1) Memorandum from Betsy Shotwell, Director of Intergovernmental Relations, dated March 13, 2007 recommending that the Committee accept the March 13, 2007 Legislative Bill Matrix; and 2) 2007 Legislative Matrix, 2007-2008 (First Year) State Legislative Session dated March 13, 2007

Discussion: Leslye Krutko, Director of Housing, clarified that AB129 has been completely changed, is currently being re-evaluated and will be brought back to the Committee. Regarding Proposition 1C allocation, Vice Mayor Cortese emphasized the need for San Jose to coordinate with San Francisco and Oakland.

Action: The Committee accepted the report.

**2. Federal**

**a. National League of Cities Congressional Conference Summary Report (verbal)**

Discussion: Betsy Shotwell, Director of Intergovernmental Relations, provided brief highlights of the National League of Cities Congressional Conference.

Action: The Committee accepted the report.

**D. Meeting Schedules**

- 1. Setting Hearing for spring 2007 for General Plan Amendments and Initiating the Re-Establishment of a fall Annual Review of the General Plan. Deferred from March 14, 2007.**

Documents Filed: 1) Memorandum from Joseph Horwedel, Director of Planning, Building and Code Enforcement, dated March 19, 2007, recommending that the Committee set May General Plan City Council hearings for the evenings of May 15, 2007 and May 22, 2007.

Public Comment: Beverly Bryant, Homebuilders Association, and Matthew Love, Foster Enterprises, spoke in favor of the recommendation.

Action: The Committee accepted the recommendation.

- 2. Request to set study session for the Evergreen\*East Hills Vision Strategy for Monday, April 30, 2007, 1-4 p.m.**

Documents Filed: Memorandum from Joseph Horwedel, Director of Planning, Building and Code Enforcement, dated March 15, 2007, recommending the Committee set a study session for the Evergreen\*East Hills Vision Strategy for Monday, April 30, 2007, from 1-4 p.m.

Action: The Committee accepted the recommendation.

**E. The Public Record**

Documents Filed: Memorandum from Lee Price, City Clerk, dated March 16, 2007 transmitting the Public Record for the week of March 9-15, 2007

Action: The Committee noted and filed the Public Record.

**F. Appointments to Boards, Commissions and Committees**

- 1. Appointment to the Airport Noise Advisory Committee**

Documents Filed: Memorandum from Director of Aviation William F. Sherry dated March 7, 2007, recommending the appointment of Mr. Joe Kornder to the Airport Noise Advisory Committee.

Action: The Committee approved the appointment.

**2. Council Committee Appointments**

Documents Filed: Memorandum from Mayor Reed dated March 16, 2007, approving the appointment of Councilmember Oliverio to the following Committees: 1) Public Safety, Finance and Strategic Support, 2) Caltrain Maintenance Facility Oversight Board, 3) Healthy Neighborhoods Venture Fund, 4) San José Arena Authority, 5) Santa Clara VTA Board – Policy Advisory Committee, 6) SJ/SC Clean Water Financing Authority, 7) Recycling and Waste Commission of Santa Clara County, 8) West Valley Sanitation District, 9) Replace Madison Nguyen as Liaison to the Library Commission, 10) Replace Chuck Reed as Liaison to the Pedestrian and Bicycle Advisory Commission, and 11) Replace Chuck Reed as Alternate to the Santa Clara County Cities Association.

Action: The Committee accepted the recommendation and forwarded the appointments on to the City Council on March 27, 2007.

**G. Rules Committee Reviews, Recommendations and Approvals**

**1. Request to Add to City Auditor's 2006-07 Workplan: Review Fee Payments by City's Franchised Haulers**

Documents Filed: 1) Memorandum from John Stufflebean, Director of Environmental Services, dated March 8, 2007, requesting that the City Auditor add to its 2006-07 work plan, a review of the financial information associated with payments to the City of San Jose Franchise Fees and the Franchise Agreements between the City of San Jose and three Franchised Haulers: Stevens Creek Disposal and Recycling, Waste Management of Santa Clara County, and Allied Waste of Santa Clara County; and 2) Memorandum from Gerald Silva, City Auditor, dated March 6, 2007, regarding the referral of audit of commercial solid waste franchised haulers.

Public Comment: Gerald Silva, City Auditor, stated that this addition would not be disruptive to the current workplan.

Action: The Committee approved this request.

**H. Review of Council Committee Agendas**

There were none.

**I. Open Government Initiatives**

There were none.

**J. Open Forum**

There were none.

**K. Adjournment**

The meeting was adjourned at 2:40 p.m.

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Chuck Reed, Mayor  
Rules and Open Government Committee